

MENTS SERVED WITH INDEX NO. 10058 AND FILED ON  
 ATTORNEY(S) Law Office of Shmuel Klein PC, Shmuel Klein, Esq.

*Donald Papay*

Plaintiff(s)/Petitioner(s)

vs

*Virginia Hazelhuber, an Assistant executive director, American Registry of Radiologic Technologists*

Defendant(s)/Respondent(s)

STATE OF NEW YORK: COUNTY OF ALBANY

, SS:

Christopher Warner

, being duly sworn deposes and says deponent is not a party herein

is over the age of eighteen years and resides in the State of New York. That on

May 21, 2007

at

11:15 am M

at Empire State Plaza, Corning Tower, 24th Fl. Albany, NY

deponent (did, did not) serve the within

Summons and Complaint

on: State of NY Dept. of Health - Bureau of Environmental Radiation, Defendant (herein called recipient) therein named.

#1 INDIVIDUAL

☐

By delivering a true copy of each to said recipient personally, deponent knew the person served to be the person described as said person therein.

#2 CORP

☒

A XXXXXX corporation, by delivering thereof a true copy of each to Harold J. Rosenthal personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be Associate Attorney thereof.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person, including an effort to reach the defendant by telephone, (if such telephone number was available) and an attempt to locate the defendant's place of employment.

#3 SUITABLE

AGE PERSON

☐

By delivering a true copy of each to \_\_\_\_\_ a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#4 AFFIXING

TO DOOR

☐

By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#5 MAILING

COPY

☐

On \_\_\_\_\_ deponent completed service under the last two sections by depositing a copy of the

to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

Deponent called at the aforementioned address on the following dates and times:

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

#6 NON-

SERVICE

☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person(s) being served because of the following:

☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other

#7 DESCRIPTION

☒

A description of the Defendant, or other person served, on behalf of the Defendant is as follows:

Sex Male Color of skin White Color of hair Brown Approx. Age 51 - 65 Yrs. Approx. Height 5' 9" - 6' 0" Approx. Weight 161 - 200 lbs Other Glasses

#8 WIT. FEES

☐

\$ \_\_\_\_\_ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Deponent asked person(s) to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not.

Sworn to before me on this

23rd day of May, 2007

*Nancy L. Gordon*  
 NANCY L. GORDON  
 Notary Public, State of New York  
 Qualified in Rensselaer County  
 Reg. No. 0160908700  
 Commission Expires June 30, 2007

*Christopher Warner*  
 Christopher Warner

Invoice/Work Order # 0/10876